

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

ALVIN FERNANDEZ SANTIAGO

DEBTOR

CASE NO. 19-05978 ESL

CHAPTER 13

**DEBTOR'S MOTION IN COMPLIANCE WITH ORDER  
DOCKET NO. 29**

TO THE HONORABLE COURT:

**COMES NOW, ALVIN FERNANDEZ SANTIAGO**, the Debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays as follows:

1. In the present Chapter 13 case, there is a *Trustee's Motion to Dismiss* (Docket No. 24), pending resolution by the Court, whereby the Trustee requests the dismissal of the case on the grounds that the Debtor incurred in arrears in the confirmed Plan payments.

2. On December 05, 2023 the Debtor requested a 30-days extension of time (Docket No. 25) to reply to the *Trustee's Motion to Dismiss* (Docket No. 24) which was granted by the Court (Docket No. 26) and on January 03, 2024 the Debtor filed his *Reply to the Trustee's Motion to Dismiss* (Docket No. 27) requesting additional time within to cure the Plan arrears in the present case.

3. On January 04, 2024, this Honorable Court granted the Debtor's request and Ordered the Debtor to cure the Plan arrears within 30 days and file evidence of having cure said arrears or the case to be dismissed. *See: ORDER*, Docket No. 26, due by February 05, 2024.

4. The Debtor hereby respectfully states he [the Debtor] has been suffering from a medical condition, which has caused the Debtor to incur in certain extraordinary expenses related to said medical condition, which is the reason for the Plan arrears in the present

case.

5. As per the Trustee's motion to dismiss (Docket No. 24) the Plan has accumulated arrears in the sum of \$525.00 or three (3) payments of \$175.00.

6. The Debtor respectfully states that today, January 31, 2024, the Debtor filed a *Post-Confirmation Modified Plan*, Docket No. 32, which Plan proposes to cure the Plan arrears, in the present case.

7. The Debtor respectfully states that should the Court grant the Debtor's proposed post-confirmation modified Chapter 13 Plan (Docket No. 32), the Plan arrears would be cured and the Debtor to continue making current payments to the Trustee until Plan completion.

**WHEREFORE**, the Debtor respectfully requests that the Court grant the present reply, granting the Debtor's proposed modified Plan (Docket No. 32) and upon curing the Plan arrears, deny the *Trustee's Motion to Dismiss*, Docket No. 24, in the above captioned case.

**I HEREBY CERTIFY** that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee and to all CM/ECF participants; and also I certify that I sent via USPS Regular Mail a copy of this motion to the following non-participant: the Debtor, Alvin Fernandez Santiago, Urb Villa Guadalupe AA 13 16<sup>th</sup> Street Caguas PR 00725, in the above captioned case.

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 31<sup>st</sup> day of January, 2024.

/s/ **Roberto Figueroa Carrasquillo**  
USDC #203614  
**RFIGUEROA CARRASQUILLO LAW OFFICE PSC**  
**ATTORNEY FOR the DEBTOR**  
PO BOX 186 CAGUAS PR 00726-0816  
TEL 787-744-7699; 787-963-7699  
EMAIL: [rfc@rfigueroalaw.com](mailto:rfc@rfigueroalaw.com)